(31)

HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P. (C) No.5964/2007

Single Bench: **Hon'ble Shri Dilip Raosaheb Deshmukh, J.**

Petitioner	Smt. Ghasnin Bai, aged 60 years, wife of Shri Sukhiram Sahu, resident of Suryodav Nagar, Pachpdi Naka, Raipur, tehsil & district Raipur (CG)
	Versus
Respondent	Xth Additional Motor Accidents Claims Tribunal, Raipur (CG)

Writ petition/application under Article 227 of the Constitution of India for issuance of suitable writ of certiorari, order, direction under the power of superintendence.

Present:-
Shri Somnath Verma, counsel for the petitioner.

ORAL ORDER
(Passed on 28th September, 2007)

This writ petition is being disposed of today, at the stage of admission, without notice to the respondent.

(2) The petitioner is aggrieved by an order dated 6.8.2007 whereby her application for withdrawal of Rs.50,000/- for her treatment was turned down.

(3) Having considered the submissions of the learned counsel for the petitioner and a perusal of the documents, it appears that the view taken by the M.A.C.T. is hypertechnical and not pragmatic. The application and affidavit filed by the claimant/petitioner before the M.A.C.T. revealed good grounds for ordering release of some amount for her treatment.

(4) In that view of the matter, this petition is allowed. The impugned order dated 6.8.2007 is set aside.

(5) Learned counsel for the petitioner submitted that an amount of Rs.50,000/- would be sufficient for the prolonged treatment of the petitioner. In this view of the matter, the petitioner is allowed to withdraw a sum of

Rs.50,000/- from the X[th] Additional Motor Accidents Claims Tribunal, Raipur for her treatment. The M.A.C.T. shall ensure that the amount is paid by an account payee cheque mentioning the account number of the petitioner. The petitioner namely Smt. Ghasnin Bai shall produce before the M.A.C.T. the pass book of her Savings Bank Account, in which the photograph of the petitioner has been duly attested by the concerned Branch Manager. It is further ordered that the amount of Rs.50,000/- shall not be disbursed by the Bank having account of the petitioner, to anyone except the petitioner. M.A.C.T shall direct the Bank accordingly.

(6) With the above observation, the Writ Petition (C) No.5964/2007 is allowed.

Sd/-
Dilip Raosaheb Deshmukh
Judge